1637 IFW

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BIRLE	Application Number	09/826,522
TRANSMITTAL	Filing Date	5 April 2001
FORM	First Named Inventor	John R. DePhillipo
(to be used for all correspondence after initial filing	g) Art Unit	1637
	Examiner Name	Alexander H.Spiegler
Total Number of Pages in This Submission 9	Attorney Docket Number	E0543-00002
	ENCLOSURES (Check all th	nat apply)
Fee Transmittal Form	Drawing(s) Licensing-related Papers	After Allowance Communication to a Technology Center (TC) Appeal Communication to Board of Appeals and Interferences
Amendment/Reply	Petition	Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
After Final	Petition to Convert to a Provisional Application	Proprietary Information
Affidavits/declaration(s)	Power of Attorney, Revocation Change of Correspondence Add	
Extension of Time Request	Terminal Disclaimer	Other Enclosure(s) (please Identify below):
Express Abandonment Request	Request for Refund	
Information Disclosure Statement	CD, Number of CD(s)	
Certified Copy of Priority	Remarks sponse to Notice of Non-Compliant A	mendment
Response to Missing Parts/ Incomplete Application		
Response to Missing Parts under 37 CFR 1.52 or 1.53		
SIGNATU	RE OF APPLICANT, ATTOR	NEY. OR AGENT
Firm Gary D. Colby		
or ndividual	1	
Signature		
Date Monday 17 May 2004		
CER	TIFICATE OF TRANSMISSIO	DN/MAILING
hereby certify that this correspondence is bein ufficient postage as first class mail in an envelope date shown below.	g facsimile transmitted to the USPTO ppe addressed to: Commissioner for F	or deposited with the United States Postal Service with Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on
yped or printed name	D. Colby	
		Date 17 May 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Considertially is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the complete application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.





IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re

John R. DePhillipo et al.

Unit:

1637

Serial No.: **09/826,522**

Appln. of:

Conf. No.:

Group Art

2835

Filed:

5 April 2001

Examiner:

Alexander H. Spiegler

For:

Kits and Methods for Assessing

Atty Docket No.:

E0543-00002

Oxidative Stress

Response to Notice of Non-Compliant Amendment

This is a Response to the Notice of Non-Compliant Amendment dated 16 April 2004. A Replacement Amendment and Request for Reconsideration accompanies this Response. Evidently, a previous version of the Amendment was submitted with the Request for Continued Examination. The enclosed Amendment replaces that submitted with the RCE. No fee is believed due. However, in the event a fee is required, please chage the fee to deposit account No. 04-1679.

Respectfully submitted,

John R. DePhillipo et al.

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AMENDMENT AND REQUEST FOR RECONSIDERATION

Introductory Comments

This Amendment is made in response to the Office Action mailed 6 October 2003 (Paper No. 11) and is timely filed with a Request for Continued Examination and a Petition for a three-month extension of time which extends the time for response up to and including 6 April 2004.

This Amendment is filed in the revised format described in the Office's Pre-OG Notice dated 31 January 2003.

Please amend the application as follows.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this Amendment.

Remarks begin on page 4 of this Amendment.